

REMARKS

Claims 1, 10-19, 26, 32, 39-46 and 49 are pending in the application. Claim 2-9, 20-25, 27-31, 33-38, 47-48, and 50-53 have been withdrawn. Applicants respectfully request reconsideration and withdrawal of the rejections based on the remarks contained herein.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

Claims 1, 11-19, 39-46, and 49 have been rejected under 35 U.S.C. §102(b) as being anticipated by Koike (US Pat. Pub. No. 2003/00006889). This rejection is respectfully traversed.

Claims 1 and 45 similarly recite, “exchanging vehicle condition-defining signals between the first and second vehicles when the probability of the potential collision is greater than a threshold value.” Applicants respectfully submit that Koike fails to disclose this feature.

As best understood by Applicants, Koike is directed to systems and methods for reducing the chance of a collision between two vehicles. (Abstract) In Koike, data including a time, position and existence probability (Table 1) is exchanged between vehicles. Koike discloses exchanging the data by transmitting and receiving signals at steps S13 of FIG. 4A, S23 of FIG. 4B, steps S34, S35 of FIG. 8, S41, S42 of FIG. 9, steps S114, S116, S118 of FIG. 16, steps S164, S166 of FIG. 23, or steps S203, S204, S205 of FIG. 26.

After transmitting the signals, Koike discloses determining and evaluating a collision probability at steps S37, S38 of FIG. 8, steps S120, S122 of FIG. 16, steps S170, S174, S172, of FIG. 23, step S206 of FIG. 26, or step S207 of FIG. 27. Koike fails to disclose or even suggest exchanging signals after the collision probability is evaluated, rather Koike only discloses exchanging the signals before and in preparation for determining the collision probability. Thus, Koike does not disclose, “exchanging vehicle condition-defining signals between the first and

second vehicles when the probability of the potential collision is greater than a threshold value.”

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1 and 45.

Claims 11-19 and 46 depend directly or indirectly from one of independent claims 1 and 45 and for at least similar reasons distinguish over Koike. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 11-19 and 46.

Claim 39 recites, “transmitting the first vehicle condition-defining signal to the second vehicle when the probability of the potential collision is greater than a threshold value.” As stated above, Koike fails to disclose exchanging or transmitting signals after the probability of the potential collision is determined. Thus, Koike fails to disclose, “transmitting the first vehicle condition-defining signal to the second vehicle when the probability of the potential collision is greater than a threshold value.” Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 39.

Claims 40-44 depend directly or indirectly from independent claim 39 and for at least similar reasons distinguish over Koike. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 40-44.

Claim 49 recites, “means responsive to the determining for transmitting a first vehicle condition-defining signal developed onboard the first vehicle to the second vehicle when the probability of the potential collision is greater than a threshold value.” As stated above, Koike fails to disclose transmitting signals after the probability of the potential collision is determined. Thus, Koike fails to disclose, “means responsive to the determining for transmitting a first vehicle condition-defining signal developed onboard the first vehicle to the second vehicle when the

probability of the potential collision is greater than a threshold value.” Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 49.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

Claims 10, 26, and 32 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Koike (US Pat. Pub. No. 2003/00006889) in view of Ochi et al. (US Pat. No. 5,913,910). This rejection is respectfully traversed.

Applicants respectfully refer the Examiner to the arguments made above with regard to the Koike reference. Applicants respectfully submit that Ochi et al. do not teach the efficiencies of Koike. Claims 10, 26, and 32 depend from one of independent claim 1 and for at least the reason stated above distinguish over Koike and Ochi. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 10, 26, and 32.

CONCLUSION

In view of the foregoing remarks and amendments, Applicants submit that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

In the event the Examiner has any queries regarding the instantly submitted response, the undersigned respectfully request the courtesy of a telephone conference to discuss any matters in need of attention.

If there are any additional charges with respect to this Response or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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